FONSI
CO-SJPLC-03-099 EA

The environmental assessment analyzing the environmental effects of the proposed action and the alternatives contained within CO-SJPLC-03-099 have been reviewed. The approved mitigation measures result in a Finding of No Significant Impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

INTRODUCTION

The Bureau of Land Management (BLM) prepared environmental assessment CO-SJPLC-03-099 (EA) to analyze the effects of renewing 10-year term grazing permits for livestock grazing on public lands in the Cahone Mesa (#08012), Yellow Jacket (#08018), Goodman Gulch (#08055), Sand Canyon East (#08023), Sand Canyon West (#08022), Flodine Park (#08066) and Hamilton Mesa (#08035) Allotments.

The EA analyzed potential site-specific impacts on resources that would result from issuing new term grazing permits needed to authorize livestock grazing on the allotments listed above. These permits must: 1) address public lands that are failing to achieve the Public Land Health Standards and Guidelines for Livestock Grazing Management in Colorado due to livestock grazing (43 CFR 4180.2(c)); 2) assure protection of objects of historic and scientific interest specified in the Monument proclamation; and 3) comply with the 1985 San Juan/San Miguel Resource Management Plan (RMP).

Five Public Land Health Standards were developed for BLM Colorado and then subsequently amended to the 1985 San Juan/San Miguel RMP and all other Colorado BLM RMPs, in February 1997. The intent of these standards is to improve the health of all BLM public lands in Colorado. These five standards include 1) upland soils; 2) riparian systems; 3) healthy, productive plant and animal communities; 4) special status, threatened and endangered species; and 5) water quality. These standards are defined in Appendix A of the EA.

Five alternatives were evaluated in the EA. These alternatives included Alternative A, Proposed Action, proposed by grazing permit applicant one; Alternative B, Deferred Grazing During Critical Period; Alternative C, Grazing During Dormant Season; Alternative D, No Grazing; and Alternative E, No Action. The No Action Alternative provided the option to reissue the applicants' existing permits.

After reviewing and evaluating comments received from individuals, organizations, and government agencies, during a 68-day public comment period for the EA, three separate proposed decisions were issued as provided for in the grazing regulations at 43 CFR 4160.1. All three of these proposed decisions were part of a single decision record.

Based on the analysis of potential environmental effects documented in the EA and the evaluation of public comments received, it was determined that: 1) some Public Land Health Standards are not being met; and 2) changes to the terms and conditions of the previously authorized term grazing permits are required.

Protests to the proposed decisions were received from two of the affected grazing permittees Kenneth and Caroline Laymon and Steve Wallace, Montezuma County Board of Commissioners, Montezuma County Stewardship Committee, Chris Majors, Miscelle Allison, Southwestern Colorado Livestock Association and the San Juan Citizens Alliance. After consideration of all protests received, which included meetings with the Montezuma County Board of Commissioners, Steve Wallace and Al Heaton who represented both the Montezuma County Stewardship Committee and Kenneth and Caroline Laymon, the following final decisions were developed in accordance with the grazing regulations at 43 CFR 4160.3. Protests received, along with their responses are attached.

DECISION RECORD

DECISION

In accordance with 43 CFR 4160.3, it is my **Final Decision** to implement Alternative B, Deferred Grazing During Critical Period for the Yellow Jacket Allotment and Alternative C, Grazing During Dormant Season for the Flodine Park, Sand Canyon East, Sand Canyon West and Goodman Gulch Allotments as described in the EA. As a result, Wesley Wallace is offered a 10-year term grazing permit valid through February 2014. The renewed grazing permit will authorize the following use:

Allotment	Allotment Number	Livestock			Percent Public Land[1]	AUMs[2]
		Number	Kind	Season of Use		
Yellow Jacket	08018	86	Cattle	12/7 – 5/27	50	243
Flodine Park	08066	57	Cattle	10/1 – 2/28	75	211
Sand Canyon East	08023	7	Cattle	10/1 – 2/28	100	36
Sand Canyon West	08022	2	Cattle	10/1 – 2/28	100	12
Goodman Gulch	08055	4	Cattle	10/1 – 2/28	100	21

[1]Percent of livestock forage in allotment contributed by public land.
[2]Animal Unit Month (AUM) is the amount of forage required to sustain one cow and calf or its equivalent for one month.

The following terms and conditions listed in the EA are included as part of this term grazing permit:

Resource/Livestock Management

1. The terms and conditions of this grazing permit can be modified if additional information indicates that a revision is necessary to conform with Title 43 CFR 4180, or if livestock use is jeopardizing cultural resources on public lands.

2. All grazing use shall be in accordance with the grazing regulations found in 43 CFR 4100, and shall meet the requirements as described in the BLM Standards for Public Land Health in Colorado. All livestock grazing use shall be managed according to BLM Guidelines for Livestock Grazing Management in Colorado.

3. An Annual Operating Plan (AOP) will be reviewed by the permittee and BLM, at least fourteen days prior to initiation of grazing use. The AOP will address the grazing rotation for every permitted allotment, as well as range improvements that will be worked on during the grazing season. Failure to participate in reviewing the AOP will result in delays in turnout authorization.

4. Livestock grazing use that is different from that authorized by a permit or lease must be applied for prior to the grazing period and must be filed with and approved by the authorized officer before grazing use can be made.

5. During the dormant season (i.e. October 1st through February 28th) livestock numbers may be increased to make full use of the full amount of permitted AUMs during a

shortened grazing season. These changes must be applied for and approved in advance of the grazing season.

6. Livestock grazing would not be permitted on the entire Yellow Jacket Allotment one year out of every three during the critical period (i.e. March 1st through May 31st) to provide critical period rest. A rotational grazing system will not be used on this allotment.

7. During the critical growing season (i.e. March 1st through May 31st) livestock numbers may not be increased above the livestock numbers on the permit.

8. Utilization levels shall not exceed 50 percent on key forage species of current year's growth as measured at the key monitoring sites.

9. Pasture moves can be adjusted two days before or after the planned move/release date. Livestock in a pasture more than two days before or after the planned move/release date, without prior approval, will be subject to an unauthorized use action.

10. The placement of salt blocks, supplemental feed, water tanks, holding pens or other facilities on public lands requires prior authorization from BLM. Proposed locations will be flagged prior to seeking authorization. All archaeological and/or historic sites must be avoided.

11. An accurate actual grazing use report showing use by pasture must be turned in within fifteen days after completing grazing use.

12. Maintenance of all structural range improvements and other projects (i.e. reservoirs, springs, corrals, roads, etc.) will be the responsibility of the permittee to which it has been assigned. Maintenance will be in accordance with cooperative agreements and/or range improvement permits. This written authorization must be on-site when the work is being completed. Failure to maintain assigned projects in a satisfactory condition may result in withholding authorization to graze livestock until maintenance is completed.

13. Grazing permits or leases are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans must be incorporated in permits or leases when completed.

14. The permittee is responsible for informing all persons associated with their livestock operation that they are subject to prosecution for knowingly disturbing Native American shrines, historic and prehistoric archaeological sites, or for collecting artifacts of any kind, including historic items, and/or arrowheads and pottery shards from Federal lands.

15. If archeological or historic sites are discovered during livestock operations on the allotment, the BLM will be notified as soon as possible so that further deterioration and resource loss can be prevented.

16. As provided for in Title 43 CFR 4130.3-2 (h), the permittee shall provide reasonable administrative access across private and leased lands to the BLM for the orderly management and protection of the public lands.

Administrative

1. Grazing fee payments are due on the date specified on the billing notice and must be paid in full within fifteen days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of $25 or 10 percent of the amount owed but not more than $250) will be assessed.

2. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due. Including settlement of unauthorized use.

3. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with all the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.

4. This grazing permit/lease is subject to cancellation, in whole or in part, at any time because of:
   a. Non-compliance by the permittee/lessee with rules and regulations.
   b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
   c. A transfer of grazing preference by the permittee/lessee to another party.
   d. A decrease in the lands administered by the BLM within the allotment(s) described.
   e. Repeated willful unauthorized grazing use.

5. Those holding permits or leases must own or control and be responsible for the management of livestock authorized to graze.

6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.

7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive order 11246 of September 24, 1964, as amended. A copy of this order may be obtained form the authorized officer.

8. No member of, or delegate to, Congress or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise there from; and the provision of section 3741 Revised Statutes (41 U.S.C. 22; 18 U.S.C. Sections 431-433, and 43 CFR Part 7),

enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

RATIONALE

1. Failing to Achieve Public Land Health Standards for Colorado

The Public Land Health Standards and Guidelines for Livestock Grazing Management in Colorado were approved by the Secretary of the Interior and then amended to the 1985 San Juan/San Miguel RMP in February 1997. These standards and guidelines were developed in partnership with the three Colorado Resource Advisory Councils, utilizing input received during numerous public workshops and meetings, consultations with academicians, and from public comment. These five standards include 1) upland soils; 2) riparian systems; 3) healthy, productive plant and animal communities; 4) special status, threatened and endangered species; and 5) water quality.

Monitoring and inventory information considered in determining if the five Public Land Health Standards are being achieved or not achieved include the 2001 rangeland health assessment, proper functioning condition assessments for both lotic (i.e., moving water) and lentic (i.e., standing water) riparian areas, rangeland condition, trend information, vegetation production information and utilization information. Using these data, determinations if the Public Land Health Standards are being achieved or not achieved for each allotment in the Monument were signed by the Monument Manager in August, 2003. Livestock grazing was identified as a causal factor for not achieving several standards in Yellow Jacket, Flodine Park, Sand Canyon East, Sand Canyon West and Goodman Gulch Allotments. These determinations and their casual factor(s) are provided in Table 1 of the EA (page 3).

The specific data used in making these determinations are as follows:

2001 Rangeland Health Assessment – This assessment focused on ecological processes such as the water cycle, energy flow, and nutrient cycle. This assessment relies upon a suite of 18 indicators to gauge three attributes of rangeland health: 1) biotic integrity, 2) site-soil stability, and 3) hydrologic function. The indicators for each of the attributes are listed in Appendix E of the EA. For each attribute, site indicators were given a qualitative rating based upon departure from the Natural Resource Conservation Service's ecological site descriptions and/or reference areas. These qualitative ratings include: 1) **none to slight**; 2) **slight to moderate**, 3) **moderate**, 4) **moderate to extreme**; or 5) **extreme**. A moderate rating is analogous to an 'at risk' rating and indicates rangelands have a reversible loss in productive capability, but have increased vulnerability to irreversible degradation. A moderate to extreme or extreme rating indicates rangelands are less likely to have reversible loss in productive capability.

The Yellow Jacket, Sand Canyon East and Sand Canyon West Allotments dominantly reflect a **moderate** degree of departure from site potential for soil and site stability, hydrologic function and biotic integrity.

The Flodine Park Allotment dominantly reflects a **moderate** degree of departure from site potential for soil and site stability and hydrologic function, and a **moderate to extreme** to **extreme** degree of departure from site potential for biotic integrity.

The Goodman Gulch Allotment dominantly reflects a **moderate** degree of departure from site potential for biotic integrity, hydrologic function and **none to slight** or **slight to moderate** from site potential for soil and site stability.

It was determined that under current grazing management the 'at risk' category (i.e., moderate rating) for these allotments would move towards an even more extreme degree of departure from site potential. As these sites are further degraded to conditions in the extreme categories, it is likely that these changes would be irreversible.

Proper Functioning Condition Assessments – Proper Functioning Condition (PFC) Assessments for the portion of Yellow Jacket Canyon within the Yellow Jacket Allotment were rated as Nonfunctional (NF), and the portion of the McElmo Creek within the Flodine Park Allotment was rated as Functional-At Risk (FAR). These ratings were due to the following factors: 1) streams are entrenched and no longer have access to a floodplain; 2) channel banks are mostly vertical with inadequate vegetative cover making them prone to erosion during periods of high flow; 3) riparian vegetation is dominated by non-native invasive species such as tamarisk and Russian olive; 4) there are no young age classes of cottonwoods or cottonwoods are entirely absent from the system; 5) adjacent terraces are experiencing rilling and gullying that contribute to sediment loading or have large percentages of bare ground that contribute to increased sediment loading and increased water yield; and 6) fine sediment dominates the stream channel bottom.

It was determined that current grazing management does not allow for adequate rest or deferment from grazing within these riparian corridors and adjacent uplands. As a result, stream channel bed and banks remain susceptible to erosion, the lack of ground cover on adjacent uplands remains high, and desired riparian species (i.e., cottonwoods, willows, and herbaceous species) are heavily browsed and/or grazed and have low vigor and recruitment. In addition, Tamarisk and Russian olive are more able to displace native riparian species under these management conditions.

Rangeland Condition – The following summary of species composition information only identifies areas of the allotments rated as fair or poor. The remaining areas of the allotments were rated as being in good and/or excellent condition.

Species composition information for the Yellow Jacket Allotment indicates that 50% of the allotment is in fair condition (26-50% of desired reference condition) and two percent is in poor condition (0-25% of desired reference condition).

Species composition information for the Flodine Park Allotment indicates that 63% of the allotment is in poor condition (0-25% of desired reference condition) and 22% is in fair condition (26-50% of desired reference condition).

Species composition information for the Sand Canyon East and Sand Canyon West Allotments indicates that 22% of these allotments are in poor condition (0-25% of desired reference condition) and 21% is in fair condition (26-50% of desired reference condition).

Species composition information for the Goodman Gulch Allotment indicates that two percent of the allotment is in fair condition (0-25% of desired reference condition) or better.

Trend Information – Long term monitoring in the Yellow Jacket Allotment documents that native perennial cool season grasses are lacking and that there has been a significant decline in the amount of native perennial warm season grasses, palatable shrubs and an increase in the amount of bare ground. In addition, there has been an increase in the amount of cheatgrass which is an undesirable non-native annual grass species. This trend data indicates a stable to downward trend.

Long term monitoring in the Flodine Park Allotment documents that there has been a significant decline in native perennial cool season grasses, warm season grasses and saltbrush shrubs. There also has been an increase in the amount of cheatgrass, which is an undesirable non-native annual grass species. Because of the increase in annual grass the ground cover is highly variable due to fluctuations in annual grass litter production. Overall, the trend for the allotment is downward.

Based on the above trend information, it was determined that current grazing management does not allow for adequate rest or deferment from grazing during the critical growing season (i.e., March 1st through May 31st) on Yellow Jacket and Flodine Park Allotments. Rest or deferment from grazing is especially important for maintaining the health and vigor of perennial cool season grasses. By not providing this critical period rest or deferment, native perennial grasses and shrubs are unable to adequately re-grow, replace carbohydrate reserves and reproduce.

Vegetation Production - Vegetation production information collected in 2001, for perennial species and palatable shrubs, indicates that current permitted stocking levels on the Yellow Jacket, Flodine Park, Sand Canyon East, Sand Canyon West and Goodman Gulch Allotments are much higher than the capacity. The stocking capacity was calculated using 50 percent of the available forage production in the allotment and assuming that 34 pounds of forage are required per cow/calf per day and that there are 30.4 days per month. Based on this information it was determined that current stocking levels are contributing to the decline in range condition and trend.

Utilization – Utilization information indicates that acceptable utilization levels have been exceeded on key forage species in most years for the Yellow Jacket Allotment and in some years for the Flodine Park Allotment.

2. Other Considerations for Sand Canyon East, Sand Canyon West and Goodman Gulch Allotments

Range capability information, collected in 2001, for Sand Canyon East and Sand Canyon West Allotments indicates that of the 3,040 public acres within these allotments, 1,397 acres or 46% are not capable for supporting livestock grazing, due to steep slopes ($\geq$ 40%) and rock outcrops.

Range capability information, collected in 2001, for Goodman Gulch Allotment indicates that of the 940 total public acres, 455 acres or 48% is not capable of supporting livestock grazing, due to steep slopes (≥ 40%) and rock outcrops.

Furthermore, all three allotments lack any reliable livestock water sources to allow for proper livestock distribution and management in those areas that are capable of supporting livestock grazing.

Last, due to high cultural site densities in all three allotments, it is likely that concentrated grazing use increases the potential for damage to these resources.

3. 43 CFR 4180, Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration

In order to comply with the grazing regulations contained within 43 CFR 4180 2(c), which states in part "The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section…" the Monument Manager is obliged to take appropriate action.

4. Appropriate Action

By implementing Alternative B, Deferred Grazing During Critical Period for Yellow Jacket Allotment, it is anticipated that there will be improvements in rangeland health conditions. These improvements in rangeland health conditions will make significant progress towards achieving the Public Land Health Standards for upland soils; healthy, productive plant and animal communities; and threatened and endangered species. Implementation of this alternative will also lead to some improvement in riparian and water quality conditions even though the standards for riparian systems and water quality will not be fully achieved, due to activities upstream in the watershed (e.g., agriculture on private lands).

Approximately 50 percent of the available livestock forage within the Yellow Jacket Allotment is from unfenced, private lands controlled by the grazing permittee. Therefore, Alternative C, Grazing During Dormant Season, which restricts grazing use to the fall/winter period, was not selected. Not selecting Alternative C will provide the grazing permittee with maximum flexibility to make use of his private lands, without jeopardizing the attainment of rangeland health standards.

By implementing Alternative C, Grazing During Dormant Season for the Flodine Park, Sand Canyon East, Sand Canyon West and Goodman Gulch Allotments, it is anticipated that there will be improvements in rangeland health conditions. These improvements in rangeland health conditions will make significant progress towards achieving the Public Land Health Standards for upland soils; healthy, productive plant and animal communities; and threatened and endangered species. However, the threatened and endangered species standard will still not be

fully achieved in both the Sand Canyon West and East Allotments, due to recreation use. Because Alternative C eliminates grazing during the critical growing season and Alternative B only defers grazing during this period, improvements in rangeland health will be more rapid under Alternative C.

Because the Flodine Park Allotment dominantly reflects a **moderate** to **moderate to extreme** degree of departure in rangeland health, a downward trend and poor range conditions, it was determined that more intensive management is needed to improve rangeland health conditions. As a result, Alternative C, Grazing During Dormant Season was selected.

Due to the relatively small amount of capable acres and lack of reliable livestock water sources within the Sand Canyon East, Sand Canyon West and Goodman Gulch Allotments, Alternative C, Grazing During Dormant Season alternative was selected. Alternative C will allow for livestock grazing during the fall and winter when water is generally more available in the form of rain and snow. As a result, livestock will be distributed over a larger area of the allotments, resulting in increased forage opportunities for livestock and reductions in cattle at known concentration areas, or areas where cattle congregate. This decrease of cattle in known concentration areas will help reduce the potential for damage to sensitive cultural resources in these same areas.

Both Alternatives B and C will stock at capacity and provide for the needed rest or deferment during the critical spring growing season, for these five allotments. By providing for this rest or deferment, native perennial grasses and shrubs including riparian species will have the opportunity to re-grow, replace carbohydrate reserves, improve vigor and reproduce.

Furthermore, the lower stocking levels for these five allotments will allow for lighter utilization levels, which will result in reduced carbohydrate expenditures of grazed plants, increased litter and biological crust cover and reduce the amount of bare ground.

Alternative A, Proposed Action and Alternative E, No Action were not selected because they would not provide for the proper stocking levels or the needed rest and/or deferment. As a result, rangeland health conditions would not improve and progress towards achieving those Public Land Health Standards, that are not being achieved, would not be made.

Alternative D, No Grazing was not selected for the Yellow Jacket, Flodine Park, Sand Canyon East, Sand Canyon West or Goodman Gulch Allotments. Rationale for this decision was that the application of Alternatives B and C will result in improvements in rangeland health, which will result in the subsequent improvement in Public Land Health Standards. Therefore, the selection of these alternatives, over Alternative D, will address public lands that are failing to achieve Public Land Health Standards due to livestock grazing, while allowing grazing to continue on the allotments as allowed under the 1985 San Juan/San Miguel RMP and the Federal Land Policy and Management Act (FLPMA).

Potential determinations and their causal factor(s) for all Public Land Health Standards are provided, by allotment, in Appendix B in the EA. Based on the analysis provided in the EA, the

tables in Appendix B identify what effect each alternative would have on the standards, if implemented.

5. Conformance with the San Juan/San Miguel RMP

The analysis provided on page five of the EA determined that Alternative A, Proposed Action and Alternative E, No Action were not in conformance with the 1985 San Juan/San Miguel RMP. Furthermore, this same analysis determined that Alternatives B, C, and D were in conformance with the 1985 San Juan/San Miguel RMP.

LouAnn Jacobson, Manager
Canyons of the Ancients National Monument

07. 11. 05
Date

DECISION RECORD

DECISION

In accordance with 43 CFR 4160.3, it is my **Final Decision** to implement Alternative B, Deferred Grazing During Critical Period and the associated mitigation measures for the Hamilton Mesa Allotment as described in the EA. As a result, Steve, Tim and Jay Wallace of Wallace Farm and Ranch, LLLP are offered a 10-year term grazing permit valid through February 2014. The renewed grazing permit will authorize the following use:

Allotment	Allotment Number	Livestock			Percent Public Land[1]	AUMs[2]
		Number	Kind	Season of Use		
Hamilton Mesa	08035	149	Cattle	12/15 – 4/15	100	600

[1]Percent of livestock forage in allotment contributed by public land.
[2]Animal Unit Month (AUM) is the amount of forage required to sustain one cow and calf or its equivalent for one month.

The following terms and conditions listed in the EA are included as part of this term grazing permit:

Resource/Livestock Management

1. The terms and conditions of this grazing permit can be modified if additional information indicates that a revision is necessary to conform with Title 43 CFR 4180, or if livestock use is jeopardizing cultural resources on public lands.

2. All grazing use shall be in accordance with the grazing regulations found in 43 CFR 4100, and shall meet the requirements as described in the BLM Standards for Public Land Health in Colorado. All livestock grazing use shall be managed according to BLM Guidelines for Livestock Grazing Management in Colorado.

3. An Annual Operating Plan (AOP) will be reviewed by the permittee and BLM, at least fourteen days prior to initiation of grazing use. The AOP will address the grazing rotation for every permitted allotment, as well as range improvements that will be worked on during the grazing season. Failure to participate in reviewing the AOP will result in delays in turnout authorization.

4. Where a rotational grazing system is operating properly on the Hamilton Mesa Allotment, there will be no livestock grazing on every pasture at a minimum of one year out of every three during the critical period (i.e. March 1st through April 15th). If this critical period rest is not provided, the entire allotment can be closed to livestock grazing the following spring (i.e. March 1st through April 15th). Where a rotational grazing system is not functioning properly, or appropriate, the entire allotment will be closed to livestock grazing at a minimum of one year out of every three during the critical period.

5. Livestock grazing use that is different from that authorized by a permit or lease must be applied for prior to the grazing period and must be filed with and approved by the authorized officer before grazing use can be made.

6. During the dormant season (i.e. October 1st through February 28th) livestock numbers may be increased to make full use of the full amount of permitted AUMs during a shortened grazing season. These changes must be applied for and approved in advance of the grazing season.

7. During the critical growing season (i.e. March 1st through April 15th) livestock numbers may not be increased above the livestock numbers on the permit.

8. Utilization levels shall not exceed 50 percent on key forage species of current year's growth as measured at the key monitoring sites.

9. Pasture moves can be adjusted two days before or after the planned move/release date. Livestock in a pasture more than two days before or after the planned move/release date, without prior approval, will be subject to an unauthorized use action.

10. The placement of salt blocks, supplemental feed, water tanks, holding pens or other facilities on public lands requires prior authorization from BLM. Proposed locations will be flagged prior to seeking authorization. All archaeological and/or historic sites must be avoided.

11. An accurate actual grazing use report showing use by pasture must be turned in within fifteen days after completing grazing use.

12. Maintenance of all structural range improvements and other projects (i.e. reservoirs, springs, corrals, roads, etc.) will be the responsibility of the permittee to which it has been assigned. Maintenance will be in accordance with cooperative agreements and/or range improvement permits. This written authorization must be on-site when the work is being completed. Failure to maintain assigned projects in a satisfactory condition may result in withholding authorization to graze livestock until maintenance is completed.

13. Grazing permits or leases are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans must be incorporated in permits or leases when completed.

14. The permittee is responsible for informing all persons associated with their livestock operation that they are subject to prosecution for knowingly disturbing Native American shrines, historic and prehistoric archaeological sites, or for collecting artifacts of any kind, including historic items, and/or arrowheads and pottery shards from Federal lands.

15. If archeological or historic sites are discovered during livestock operations on the allotment, the BLM will be notified as soon as possible so that further deterioration and resource loss can be prevented.

16. As provided for in Title 43 CFR 4130.3-2 (h), the permittee shall provide reasonable administrative access across private and leased lands to the BLM for the orderly management and protection of the public lands.

Administrative

1. Grazing fee payments are due on the date specified on the billing notice and must be paid in full within fifteen days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of $25 or 10 percent of the amount owed but not more than $250) will be assessed.

2. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due. Including settlement of unauthorized use.

3. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with all the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.

4. This grazing permit/lease is subject to cancellation, in whole or in part, at any time because of:
   a. Non-compliance by the permittee/lessee with rules and regulations.
   b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
   c. A transfer of grazing preference by the permittee/lessee to another party.
   d. A decrease in the lands administered by the BLM within the allotment(s) described.
   e. Repeated willful unauthorized grazing use.

5. Those holding permits or leases must own or control and be responsible for the management of livestock authorized to graze.

6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.

7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive order 11246 of September 24, 1964, as amended. A copy of this order may be obtained form the authorized officer.

8. No member of, or delegate to, Congress or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise there from; and the provision of section

3741 Revised Statutes (41 U.S.C. 22; 18 U.S.C. Sections 431-433, and 43 CFR Part 7), enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

RATIONALE

1. Failing to Achieve Public Land Health Standards for Colorado

The Public Land Health Standards and Guidelines for Livestock Grazing Management in Colorado were approved by the Secretary of the Interior and then amended to the 1985 San Juan/San Miguel RMP in February 1997. These standards and guidelines were developed in partnership with the three Colorado Resource Advisory Councils, utilizing input received during numerous public workshops and meetings, consultations with academicians, and from public comment. These five standards include 1) upland soils; 2) riparian systems; 3) healthy, productive plant and animal communities; 4) special status, threatened and endangered species; and 5) water quality.

Monitoring and inventory information considered in determining if the five standards are being achieved or not achieved include the 2001 rangeland health assessment, proper functioning condition assessments for both lotic (i.e., moving water) and lentic (i.e., standing water) riparian areas, rangeland condition, trend information, vegetation production information and utilization information. Using these data, determinations if the Public Land Health Standards are being achieved or not achieved in each allotment for the Monument were signed by the Monument Manager in August, 2003. Livestock grazing was identified as a causal factor for not achieving four of the five standards in Hamilton Mesa Allotment. These determinations and their casual factor(s) are provided in Table 1 of the EA (page 3).

The specific data used in making these determinations are as follows:

2001 Rangeland Health Assessment – This assessment focused on ecological processes such as the water cycle, energy flow, and the nutrient cycle. This assessment relies upon a suite of 18 indicators to gauge three attributes of rangeland health: 1) biotic integrity, 2) site-soil stability, and 3) hydrologic function. The indicators for each of the attributes are listed in Appendix E of the EA. For each attribute, site indicators were given a qualitative rating based upon departure from the Natural Resource Conservation Service's ecological site descriptions and/or reference areas. These qualitative ratings include: 1) **none to slight**; 2) **slight to moderate**, 3) **moderate**, 4) **moderate to extreme**; or 5) **extreme**. A moderate rating is analogous to an 'at risk' rating and indicates rangelands that have a reversible loss in productive capability, but have increased vulnerability to irreversible degradation. A moderate to extreme or extreme rating indicates rangelands that are less likely to have reversible loss in productive capability.

The Hamilton Mesa Allotment dominantly reflects a **moderate** degree of departure from site potential for soil and site stability and hydrologic function, and a **moderate to extreme** or **extreme** degree of departure from site potential for biotic integrity.

It was determined that under current grazing management the 'at risk' category (i.e., moderate rating) for this allotment would move towards an even more extreme degree of departure from site potential. As these sites are further degraded to conditions in extreme categories, it is likely that these changes would be irreversible.

Proper Functioning Condition Assessments – Proper Functioning Condition (PFC) Assessments for those portions of McElmo Creek within the Hamilton Mesa Allotment were rated Non-Functional (NF). This rating was due to the following factors: 1) stream width to depth ratio is high and sinuosity is low; 2) incised channel with no access to original floodplain; 3) there are not adequate amounts of cottonwood, willow and other herbaceous riparian plant species present to stabilize stream banks; 4) riparian vegetation present lacks diversity and has low vigor; and 5) Tamarisk, a non-native invasive species, dominates the streambanks.

PFC assessments rated Bluewater Spring as Functional-At Risk (FAR) with a downward trend. This rating was due to the following factors: 1) soil compaction by livestock trampling of the spring area is limiting expansion of the riparian-wetland area; 2) livestock trailing is contributing to sedimentation of the spring; and 3) trampling of the spring is resulting in concentrating overland flow causing gullies and down cutting of the spring.

It was determined that current grazing management does not allow for adequate rest or deferment from grazing within these riparian areas. As a result, stream channel bed and banks remain susceptible to erosion, the lack of ground cover on adjacent uplands remains high, and desired riparian species (i.e., cottonwoods, willows and riparian herbaceous species) are heavily browsed and/or grazed and have low vigor and recruitment. In addition, Tamarisk is more able to displace native riparian species under these management conditions.

Rangeland Condition – The following summary of species composition information only identifies areas of the allotment rated as fair or poor. The remaining areas of the allotment were rated as being in good and/or excellent condition.

Species composition information for the Hamilton Mesa Allotment indicates that 41% of the allotment is in fair condition (26-50% of desired reference condition) and 36% is in poor condition (0-25% of desired reference condition).

Trend Information – Long term monitoring in Hamilton Mesa Allotment documents that there has been a significant decline in native perennial cool season grasses and there has been an increase in big sagebrush. Big sagebrush is not a palatable forage species to livestock. Overall trend for the allotment is stable or downward, due primarily to the loss of cool season grasses and an increase in the amount of big sagebrush.

Based on the above trend information, it was determined that current grazing management does not allow for adequate rest or deferment from grazing during the critical growing season (i.e., March 1st through May 31st) on this allotment. Rest or deferment from grazing is especially important for maintaining the health and vigor of perennial cool season grasses. By not providing this critical period rest or deferment, native perennial grasses are unable to adequately re-grow, replace carbohydrate reserves and reproduce.

Vegetation Production - Vegetation production information collected in 2001, for perennial species and palatable shrubs, indicates that current permitted stocking levels on Hamilton Mesa Allotment are at capacity. The stocking capacity was calculated using 50 percent of the available forage production in the allotment and assuming that 34 pounds of forage are required per cow/calf per day and that there are 30.4 days per month.

Utilization – Utilization levels have been exceeded or were at the upper end of acceptable levels on key forage species in many of the years on record.

2. 43 CFR 4180, Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration

In order to comply with the grazing regulations contained within 43 CFR 4180 2(c), which states in part "The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section..." the Monument Manager is obliged to take appropriate action.

3. Appropriate Action

After consideration of all protests received and following consultation with the affected grazing permittee for this allotment, it was determined that grazing during a portion of the critical growing season (i.e., March 1st through May 31st), combined with implementation of a grazing management system which provides regular critical growing season rest and deferment, can be authorized. This change from the Proposed Decision is within the range of alternatives analyzed in the EA.

By implementing Alternative B, Deferred Grazing During Critical Period for the Hamilton Mesa Allotment, it is anticipated that there will be improvements in rangeland health conditions. These improvements in rangeland health will make significant progress towards achieving the Public Land Health Standards for upland soils; healthy, productive plant and animal communities; and threatened and endangered species. Implementation of this alternative will also lead to some improvement in riparian conditions even though the standard for riparian systems will not be fully achieved, due to activities upstream in the watershed (e.g., agriculture on private lands). This achievement in standards will occur as a result of shortening the length of time grazing occurs on the allotment during the critical growing season, and by implementing a grazing rotation which provides regular critical growing season rest and deferment. As a result, native perennial cool season grasses, including riparian species, will have the opportunity to grow, replace carbohydrate reserves, improve vigor and reproduce.

Because this allotment dominantly reflects either **moderate** to **moderate to extreme,** or **extreme** degree of departure in rangeland health, a stable or downward trend, and poor and fair range conditions, it was determined that more intensive grazing management is needed to improve rangeland health conditions.

Because of the existing pastures within this allotment, Alternative B was selected rather than Alternative C, Grazing During Dormant Season. With the existing pastures there is greater flexibility and opportunity to implement more intensive grazing management. As a result, the term and condition requiring no livestock grazing on every pasture at a minimum of one year out of every three during the critical period, will be achieved under Alternative B. In addition, by shortening the spring grazing period from **March 1st through May 31st** to **March 1st through April 15th** the entire allotment will also receive complete rest from grazing for that portion of the critical growing season.

Both Alternative A, Proposed Action and Alternative E, No Action were not selected because they would not provide for the proper stocking levels or the rest and/or deferment. As a result, rangeland health conditions would not improve and progress towards achieving the three Public Land Health Standards would not be made.

Alternative D, No Grazing was not selected for this allotment. Rationale for this decision was that the application of Alternative B will result in improvements in rangeland health, which will result in the subsequent improvement in Public Land Health Standards. Therefore, the selection of Alternative B, over Alternative D, will address public lands that are failing to achieve Public Land Health Standards due to livestock grazing, while allowing grazing to continue on the allotments as allowed under the 1985 San Juan/San Miguel RMP and the Federal Land Policy and Management Act (FLPMA).

Potential determinations and their causal factor(s) for all Public Land Health Standards are provided, by allotment, in Appendix B in the EA. Based on the analysis provided in the EA, the tables in Appendix B identify what effect each alternative would have on the standards, if implemented.

4. Conformance with the San Juan/San Miguel RMP

The analysis provided on page five of the EA determined that Alternative A, Proposed Action and Alternative E, No Action were not in conformance with the 1985 San Juan/San Miguel RMP. Furthermore, this same analysis determined that Alternatives B, C, and D were in conformance with the 1985 San Juan/San Miguel RMP.

LouAnn Jacobson, Manager
Canyons of the Ancients National Monument

07 - 11 - 05
Date

DECISION RECORD

DECISION

In accordance with 43 CFR 4160.3, it is my **Final Decision** to implement Alternative B, Deferred Grazing During Critical Period and the associated mitigation measures for the Cahone Mesa Allotment as described in the EA. As a result, Laymon Family Living Trust is offered a 10-year term grazing permit valid through February 2014. The renewed grazing permit will authorize the following use:

Allotment	Allotment Number	Livestock			Percent Public Land[1]	AUMs[2]
		Number	Kind	Season of Use		
Cahone Mesa	08012	153	Cattle	11/16 – 4/30	99	829

[1]Percent of livestock forage in allotment contributed by public land.
[2]Animal Unit Month (AUM) is the amount of forage required to sustain one cow and calf or its equivalent for one month.

In addition, desired vegetation monitoring objectives which measure the frequency of key plant species have been developed for this allotment. If these desired frequency objectives are met for each pasture within the Cahone Mesa Allotment by 2011, then a 20% increase in AUMs, prorated for that pasture, will be added to the permitted use. This change will occur without further action by the authorized officer.

These frequency objectives will be measured at the existing long term monitoring sites within the allotment and will be based on nested frequency transects. Please refer to Table 1 attached showing the existing and desired frequency objectives as well as the prorated capacities for each pasture for the Cahone Mesa Allotment.

The following terms and conditions listed in the EA are included as part of this term grazing permit:

Resource/Livestock Management

1. The terms and conditions of this grazing permit can be modified if additional information indicates that a revision is necessary to conform with Title 43 CFR 4180, or if livestock use is jeopardizing cultural resources on public lands.

2. All grazing use shall be in accordance with the grazing regulations found in 43 CFR 4100, and shall meet the requirements as described in the BLM Standards for Public Land Health in Colorado. All livestock grazing use shall be managed according to BLM Guidelines for Livestock Grazing Management in Colorado.

3. An Annual Operating Plan (AOP) will be reviewed by the permittee and BLM, at least fourteen days prior to initiation of grazing use. The AOP will address the grazing rotation for every permitted allotment, as well as range improvements that will be worked on during the grazing season. Failure to participate in reviewing the AOP will result in delays in turnout authorization.

4. Where a rotational grazing system is operating properly on the Cahone Mesa Allotment, there will be no livestock grazing on every pasture at a minimum of one year out of every three during the critical period (i.e. March 1st through April 30th). If this critical period rest is not provided, the entire allotment can be closed to livestock grazing the following spring (i.e. March 1st through April 30th). Where a rotational grazing system is not functioning properly, or appropriate, the entire allotment will be closed to livestock grazing at a minimum of one year out of every three during the critical period.

5. Livestock grazing use that is different from that authorized by a permit or lease must be applied for prior to the grazing period and must be filed with and approved by the authorized officer before grazing use can be made.

6. During the dormant season (i.e. October 1st through February 28th) livestock numbers may be increased to make full use of the full amount of permitted AUMs during a shortened grazing season. These changes must be applied for and approved in advance of the grazing season.

7. During the critical growing season (i.e. March 1st through April 30th) livestock numbers may not be increased above the livestock numbers on the permit.

8. Utilization levels shall not exceed 50 percent on key forage species of current year's growth as measured at the key monitoring sites.

9. Pasture moves can be adjusted two days before or after the planned move/release date. Livestock in a pasture more than two days before or after the planned move/release date, without prior approval, will be subject to an unauthorized use action.

10. The placement of salt blocks, supplemental feed, water tanks, holding pens or other facilities on public lands requires prior authorization from BLM. Proposed locations will be flagged prior to seeking authorization. All archaeological and/or historic sites must be avoided.

11. An accurate actual grazing use report showing use by pasture must be turned in within fifteen days after completing grazing use.

12. Maintenance of all structural range improvements and other projects (i.e. reservoirs, springs, corrals, roads, etc.) will be the responsibility of the permittee to which it has been assigned. Maintenance will be in accordance with cooperative agreements and/or range improvement permits. This written authorization must be on-site when the work is being completed. Failure to maintain assigned projects in a satisfactory condition may result in withholding authorization to graze livestock until maintenance is completed.

13. Grazing permits or leases are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans must be incorporated in permits or leases when completed.

14. The permittee is responsible for informing all persons associated with their livestock operation that they are subject to prosecution for knowingly disturbing Native American shrines, historic and prehistoric archaeological sites, or for collecting artifacts of any kind, including historic items, and/or arrowheads and pottery shards from Federal lands.

15. If archeological or historic sites are discovered during livestock operations on the allotment, the BLM will be notified as soon as possible so that further deterioration and resource loss can be prevented.

16. As provided for in Title 43 CFR 4130.3-2 (h), the permittee shall provide reasonable administrative access across private and leased lands to the BLM for the orderly management and protection of the public lands.

Administrative

1. Grazing fee payments are due on the date specified on the billing notice and must be paid in full within fifteen days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of $25 or 10 percent of the amount owed but not more than $250) will be assessed.

2. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due. Including settlement of unauthorized use.

3. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with all the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.

4. This grazing permit/lease is subject to cancellation, in whole or in part, at any time because of:
   a. Noncompliance by the permittee/lessee with rules and regulations.
   b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
   c. A transfer of grazing preference by the permittee/lessee to another party.
   d. A decrease in the lands administered by the BLM within the allotment(s) described.
   e. Repeated willful unauthorized grazing use.

5. Those holding permits or leases must own or control and be responsible for the management of livestock authorized to graze.

6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.

7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive order 11246 of September 24, 1964, as amended. A copy of this order may be obtained form the authorized officer.

8. No member of, or delegate to, Congress or Resident Commissioner, after his election or appointment, or either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise there from; and the provision of section 3741 Revised Statutes (41 U.S.C. 22; 18 U.S.C. Sections 431-433, and 43 CFR Part 7), enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

RATIONALE

1. Failing to Achieve Public Land Health Standards for Colorado

The Public Land Health Standards and Guidelines for Livestock Grazing Management in Colorado were approved by the Secretary of the Interior and then amended to the San Juan/San Miguel RMP in February 1997. These standards and guidelines were developed in partnership with the three Colorado Resource Advisory Councils, utilizing input received during numerous public workshops and meetings, consultations with academicians, and from public comment. These five standards include 1) upland soils; 2) riparian systems; 3) healthy, productive plant and animal communities; 4) special status, threatened and endangered species; and 5) water quality.

Monitoring and inventory information considered in determining if the five Public Land Health Standards are being achieved or not achieved include the 2001 rangeland health assessment, proper functioning condition assessments for both lotic (i.e., moving water) and lentic (i.e., standing water) riparian areas, rangeland condition, trend information, vegetation production information and utilization information. Using these data, determinations if the Public Land Health Standards are being achieved or not achieved in each allotment in the Monument were signed by the Monument Manager in August, 2003. Livestock grazing was identified as a causal factor for not achieving three of the five standards in Cahone Mesa Allotment. These determinations and their casual factor(s) are provided in Table 1 of the EA (page 3).

The specific data used in making these determinations are as follows:

2001 Rangeland Health Assessment - This assessment focused on ecological processes such as the water cycle, energy flow, and the nutrient cycle. This assessment relies upon a suite of 18 indicators to gauge three attributes of rangeland health 1) biotic integrity, 2) site-soil stability, and 3) hydrologic function. The indicators for each of the attributes are listed in Appendix E of the EA. For each attribute, site indicators were given a qualitative rating based upon departure from the Natural Resource Conservation Service's ecological site descriptions and/or reference areas. These qualitative ratings include: 1) **none to slight**; 2) **slight to moderate**, 3) **moderate**,

4) **moderate to extreme**; or 5) **extreme**. A moderate rating is analogous to an 'at risk' rating and indicates rangelands that have a reversible loss in productive capability, but have increased vulnerability to irreversible degradation. A moderate to extreme or extreme rating indicates rangelands that are less likely to have reversible loss in productive capability.

The Cahone Mesa Allotment dominantly reflects a **moderate** degree of departure from site potential for soil and site stability and biotic integrity, and a **moderate** to **moderate to extreme** or **extreme** departure from site potential for hydrologic function.

It was determined that under current grazing management the 'at risk' category (i.e., moderate rating) for this allotment would move towards an even more extreme degree of departure from site potential. As these sites are further degraded to conditions in the extreme categories, it is likely that changes would be irreversible.

Proper Functioning Condition Assessments - Proper Functioning Condition (PFC) Assessments for springs within this allotment indicates that they are either Functional-At Risk with trend being stable or downward, or Nonfunctional (NF). These ratings were due to the following factors: 1) existing cottonwood and willow species are heavily browsed and exhibit low vigor; 2) adjacent uplands with large amounts of bare ground are contributing excessive amounts of sediment to the spring sources; and 3) non-native invasive species are increasing resulting in displacement of desired riparian species.

It was determined that current grazing management does not allow for adequate rest or deferment from grazing of these spring systems and adjacent uplands. As a result, the lack of ground cover on adjacent uplands remains high, and desired riparian species (i.e., cottonwoods and willows) are heavily browsed and have low vigor and recruitment. In addition, less desirable non-native weedy species are more able to displace native riparian species under these management conditions.

Rangeland Condition – The following summary of species composition information only identifies areas of the allotment rated as fair or poor. The remaining areas of the allotment were rated as being in good and/or excellent condition.

Species composition information for the Cahone Mesa Allotment indicates that 50% of the allotment is in fair condition (26-50% of desired reference condition) and 28% is in poor condition (0-25% of desired reference condition).

Trend Information – Long term monitoring in the Cahone Mesa Allotment documents that there has been a significant decline in both native perennial cool season grasses, and non-native perennial cool season seeded species (e.g., crested wheatgrass). The amount of bare ground is increasing as well as big sagebrush, which is a non-palatable shrub species. Overall, the trend for the allotment is downward.

Based on the above trend information, it was determined that current grazing management does not allow for adequate rest or deferment from grazing during the critical growing season (i.e. March 1st through May 31st) on this allotment. By not providing this critical period rest or

deferment, native perennial grasses are unable to adequately re-grow, replace carbohydrate reserves and reproduce.

Vegetation Production - Vegetation production information collected in 2001, for perennial species and palatable shrubs indicates that current permitted stocking levels on this allotment are much higher than the capacity. The stocking capacity was calculated using 50 percent of the available forage production in the allotment and assuming that 34 pounds of forage are required per cow/calf per day and that there are 30.4 days per month. Based on this information it was determined that current stocking levels are contributing to the decline in range condition and trend.

Utilization – Utilization levels have been exceeded, or were at the upper end of acceptable levels on key forage species in most of the years on record.

2. 43 CFR 4180, Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration

In order to comply with the grazing regulations contained within 43 CFR 4180 2(c), which states in part "The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section…" the Monument Manager is obliged to take appropriate action.

3. Appropriate Action

After consideration of all protests received and following consultation with a representative of the affected grazing permittee for this allotment, it was determined to shorten the grazing season during the critical spring growing season by 20 days. This will allow the permittee to increase the number of livestock permitted on the allotment, without exceeding the permitted AUMs. This would also provide continuous rest from grazing during a portion of the critical spring growing season. In addition, desired vegetation objectives were developed for this allotment through consultation with the permittee. It was determined that if met, these desired vegetation objectives would show significant progress towards meeting the rangeland health standards for upland soils, and healthy productive plant and animal communities.

By implementing Alternative B, Deferred Grazing During Critical Period for the Cahone Mesa Allotment, it is anticipated there will be improvements in rangeland health conditions. These improvements in rangeland health will make significant progress towards achieving the Public Land Health Standards for upland soils and healthy, productive plant and animal communities. Implementation of this alternative will also lead to some improvement in riparian conditions even though the riparian system standard will not be fully achieved, due to activities upstream in the watershed (e.g., agriculture on private lands). This achievement in standards will occur as a result of stocking at capacity and providing for periodic critical growing season rest. By providing for this periodic rest, native perennial grasses and shrubs, including riparian species, will have the opportunity to grow, replace carbohydrate reserves, improve vigor and reproduce.

Furthermore, the lower stocking levels will allow for lighter utilization levels, which will result in reduced carbohydrate expenditures of grazed plants, increased litter and biological crust cover and reduce the amount of bare ground.

Because of the numerous pastures within this allotment, Alternative B was selected over Alternative C, Grazing During Dormant Season. With eight pastures there is greater flexibility and opportunity to implement more intensive grazing management. As a result, the term and condition requiring no livestock grazing on every pasture at a minimum of one year out of every three during the critical period, will be achieved under Alternative B.

Both Alternative A, Proposed Action and Alternative E, No Action were not selected because they would not provide for the proper stocking levels or the needed rest and/or deferment. As a result, rangeland health conditions would not improve and progress toward achieving the two Public Land Health Standards would not be made.

Alternative D, No Grazing was not selected for this allotment. Rationale for this decision was that the application of Alternative B will result in improvements in rangeland health, which will result in the subsequent improvement in Public Land Health Standards. Therefore, the selection of Alternative B, over Alternative D, will address public lands that are failing to achieve Public Land Health Standards due to livestock grazing, while allowing grazing to continue on the allotments as allowed under the 1985 San Juan/San Miguel RMP and the Federal Land Policy and Management Act (FLPMA).

Potential determinations and their causal factor(s) for all Public Land Health Standards are provided, by allotment, in Appendix B in the EA. Based on the analysis provided in the EA, the tables in Appendix B identify what effect each alternative would have on the standards, if implemented.

4. Conformance with the San Juan/San Miguel RMP

The analysis provided on page five of the EA determined that Alternative A, Proposed Action and Alternative E, No Action were not in conformance with the 1985 San Juan/San Miguel RMP. Furthermore, this same analysis determined that Alternatives B, C, and D were in conformance with the 1985 San Juan/San Miguel RMP.

LouAnn Jacobson, Manager
Canyons of the Ancients National Monument

07.11.05
Date

Table 1. Desired Frequency and Cover Objectives for the Cahone Mesa Allotment

PASTURE	CURRENT CAPACITIES BY PASTURE	TRANSECT	PLOT SIZE	EXISTING FREQUENCY BY SPECIES	DESIRED FREQUENCY BY SPECIES	PRORATE INCREAS
Pedro	210 AUMs	#1	12 inch 24 inch 24 inch 24 inch 24 inch	Galleta 36% Indian ricegrass 6% Needle & thread 8% Bottlebrush squirreltail 10% Bare ground 53%	Galleta 46% Indian ricegrass 16% Needle & thread 18% Bottlebrush squirreltail 20% Bare ground 50%	42 AUM
		#2	6 inch 24 inch 24 inch 24 inch	Galleta 10% Indian ricegrass/ Needlegrass 0% Bottlebrush squirreltail 38% Bare ground 44%	Galleta 25% Indian ricegrass/ Needlegrass 5% Bottlebrush squirreltail 38% Bare ground 44%	
		#3	12 inch 24 inch 24 inch 24 inch	Galleta 16% Indian ricegrass/ Needlegrass 64% Bare ground 48%	Galleta 20% Indian ricegrass/ Needlegrass 80% Bare ground 48%	
Cutthroat	223 AUMs	#2	24 inch 24 inch 24 inch 24 inch	Alkali sacaton/ Sand dropseed 14% Indian ricegrass 5% Shadscale 4% Bare ground 71%	Alkali sacaton/ Sand dropseed 35% Indian ricegrass 15% Shadscale 10% Bare ground 50%	45 AUMs
		#3	24 inch 24 inch 24 inch	Galleta 21% Indian ricegrass 19% Bare ground 66%	Galleta 30% Indian ricegrass 30% Bare ground 50%	
Lower Giline	69 AUMs	#1	24 inch 24 inch 24 inch	Galleta 38% Indian ricegrass/ Needlegrass 0% Bare ground 73%	Galleta 50% Indian ricegrass/ Needlegrass 15% Bare ground 55%	14 AUMs
Upper Giline	88 AUMs	#1	24 inch 24 inch 24 inch 24 inch 24 inch	Galleta 0% Indian ricegrass 0% Bottlebrush squirreltail 14% Crested wheatgrass 41% Bare ground 56%	Galleta 5% Indian ricegrass 5% Bottlebrush squirreltail 20% Crested wheatgrass 60% Bare ground 40%	18 AUMs
		#2	24 inch 24 inch 24 inch 24 inch	Sand dropseed 4% Crested wheatgrass 42% Western wheatgrass 8% Bare ground 43%	Sand dropseed 15% Crested wheatgrass 52% Western wheatgrass 15% Bare ground 40%	
Lower Wallen	75 AUMs	#2	24 inch 24 inch 24 inch 24 inch	Indian ricegrass 1% Bottlebrush squirreltail 2% Crested wheatgrass 15% Bare ground 33%	Indian ricegrass 10% Bottlebrush squirreltail 20% Crested wheatgrass 25% Bare ground 30%	15 AUMs
Upper Wallen	49 AUMs	#1	24 inch 24 inch 24 inch	Sand dropseed 0% Crested wheatgrass 38% Bare ground 64%	Sand dropseed 5% Crested wheatgrass 50% Bare ground 45%	10 AUMs
East Roder	44 AUMs	#1	24 inch 24 inch 24 inch 24 inch	Crested wheatgrass 83% Muttongrass 1% Bitterbrush/Cliffrose 10% Bare ground 48%	Crested wheatgrass 83% Muttongrass 15% Bitterbrush/Cliffrose 10% Bare ground 45%	9 AUMs

AUTHORITY

Authority for the actions described above in the proposed decisions is found in 43 CFR Parts 4100.0-8, 4110.2-2, 4110.3, 4110.3-2 (b), 4110.3-3 (a), 4130.3, 4130.3-1, 4130.3-2, 4130.3-3, 4160.3, and 4180.2.

RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160.4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. The person/party must also serve a copy of the appeal on any person named [43 CFR 4.421 (h)] in the decision and the Office of the Solicitor, U.S. Department of Interior, 755 Parfet, Suite 151, Lakewood, CO 80215. Please be advised that 43 CFR Part 4 has been amended as of January 9, 2004.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471 (c), a petition for a stay must show sufficient justification based on the following standards:

(1) The relative harm to the parties if the stay is granted or denied.
(2) The likelihood of the appellant's success on the merits.
(3) The likelihood of immediate and irreparable harm if the stay is not granted, and
(4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and serviced in accordance with 43 CFR 4.473. Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response for the petition for a stay may file with the Hearings division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the office of the Solicitor and any other person named in the decision (43 CFR 4.472 (b)).

If you wish to discuss this decision please feel free to contact Michael Jensen, Rangeland Management Specialist of my staff at (970) 882-6828.

LouAnn Jacobson, Manager
Canyons of the Ancients National Monument